



Opening Statement

COMMITTEE ON EDUCATION & LABOR

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The Hon. Robert C. "Bobby" Scott • Chairman

Opening Statement of Chair Suzanne Bonamici (OR-1)

Subcommittee on Civil Rights & Human Services Protections Hearing

The Equality Act (H.R. 5): Ensuring the Right to Learn and Work Free from Discrimination

2175 Rayburn House Office Building

Tuesday, April 9, 2019 | 2:00pm

Today, we are holding a legislative hearing on H.R. 5, the *Equality Act*—legislation to guarantee and expand civil rights protections for LGBTQ Americans. I want to thank our witnesses for being with us today.

The struggle against discrimination in the United States is as old as the country itself. For generations, marginalized people have fought and sacrificed for the inalienable rights of life, liberty, and the pursuit of happiness to all Americans.

The Equality Act is the next chapter in this story.

From the raid on Stonewall in 1969 to the victory of marriage equality in 2015, we have made significant progress toward becoming a more inclusive country for the LGBTQ population.

But we are still far from equality for all. In fact, in a majority of states today, there are no clear, comprehensive protections for LGBTQ individuals in education, employment, housing, health, and other everyday services and opportunities.

Instead, we rely on a patchwork of state laws that leaves millions of LGBTQ Americans uncertain about whether their rights and humanity will be recognized in the state where they happen to be living, working, or visiting.

In many parts of the country, an LGBTQ worker can get married on Saturday, post photos of their wedding to social media on Sunday, and be fired on Monday because of who they love. Because of who they are.

This scenario is a reality for millions of LGBTQ Americans. In fact, 63 percent of LGBTQ people in this country have experienced discrimination in their everyday lives.

Victims include workers, nearly half of whom have been subjected to discrimination in the workplace.

They include the nearly one quarter of all LGBTQ Americans who forgo medical care to avoid the discrimination in the health care system. And they include students and parents and families of LGBTQ individuals like Kimberly Shappley, who will testify today about her struggle to protect her 8-year-old transgender daughter, Kai, from discrimination at school.

We cannot ignore stories like Kai's or pretend that they are isolated incidents. We cannot accept the status quo, in which an individual's basic civil rights are recognized in one state, but then potentially cease to exist when they cross state lines. And we cannot address the widespread discrimination affecting the LGBTQ community – especially transgender people of color -- without recognizing and protecting their full identity. We must see people for who they are and for all they are. We must not diminish their humanity or their potential.

That is why we are discussing the *Equality Act* today. This legislation, introduced by Representative David Cicilline and supported by 240 bipartisan members of the House of Representatives, is our opportunity to affirm that this country's landmark civil rights laws guarantee all people the right to be safe, secure, and free from discrimination.

The Equality Act will amend long-standing civil rights laws, including the Civil Rights Act of 1964, to clarify that prohibitions against discrimination on the basis of sex includes gender identity and sexual orientation.

Specifically, the bill simply adds the words: *sex, including sexual orientation and gender identity*, as a protected characteristic. Where sex is already included as a protected characteristic, it adds: *including sexual orientation and gender identity*.

This language to explicitly prohibit discrimination in federally assisted programs will make clear that federally supported schools cannot discriminate against students and employees.

And it will also make clear that LGBTQ adults and children cannot be denied a medical checkup, counseling and therapy, or other primary care services because of their sexual orientation or gender identity.

Today, we may hear excuses about why Congress cannot or should not guarantee protections for LGBTQ Americans. We may hear claims that the *Equality Act* will endanger religious freedom or put women's rights and safety at risk.

But we can look to the 20 states already providing these explicit protections and know that such claims are unfounded. In states like my home state of Oregon, where the Oregon Equality Act passed in 2008 with my support as a then state legislator, the predictions based on fear have not happened and in fact, women have experienced expanded rights and protections.

We cannot let fear impede progress. The American story is one of expanding equality for marginalized people and, today, we are writing an important passage in its latest chapter.

Before I recognize the Ranking Member, I want to echo Judiciary Chairman Nadler, who convened a hearing on this bill last week. To all the LGBTQ and gender nonconforming people watching this hearing today, you may:

- Be told that you are not welcome,
- You may hear that your identity is only—quote—“temporary confusion,”
- And you may have your humanity questioned.

To those individuals, we see you. We affirm you. And we are here to fight alongside you to make sure that all Americans have the freedom to be who we are.

With that, I thank the witnesses, again, for being with us and I now recognize Ranking Member Comer for his opening statement.